

#3737
OK

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

March 1, 2011

TO: Internal File

THRU: Jim Smith, Team Lead *JS 03/02/11*

FROM: Angela Nance, Business Analyst *AN*

RE: Change of Ownership and Control, Energy West Mining Company, Deer Creek Mine, C/015/0018, Task ID #3737

SUMMARY:

On February 9, 2011, the Division received an application to update the legal and financial information for the Cottonwood/Wilberg Mine, Deer Creek Mine, Des Bee Dove Mine and Trail Mountain Mine. This review is being tracked under the Deer Creek Mine.

Several new people were included in the submittal that will need to be added to AVS. Also, a few officer begin dates listed in the submittal do not match the AVS database. Since Energy West Mining Company is a locked entity in the AVS, the updated information was forwarded to the AVS office to be entered and/or corrected in the system by Linda Keene.

TECHNICAL ANALYSIS:

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

Analysis:

The updated Appendix A identifies the operator of the coal mine and all owners and controllers of the operation including names and addresses. This updated Appendix A will replace the entire Appendix A in the "Supplemental Volume, Legal and Financial Information". This volume applies to the four PacifiCorp mines in Utah.

Findings:

Several entities were identified in the submittal that need to be added to the AVS database. Also, several discrepancies in effective begin dates were noted. They are as follows:

R645-301-112-303:

- **Energy West Mining Company**

1. Add Michael G. Dunn, President and Director, Begin Date 02/01/2010
2. Add Cindy A. Crane, Vice President, Begin Date 03/26/2009
3. Bruce N. Williams, Treasurer shows a Begin Date of 01/01/1992 in the submittal and AVS shows 12/01/1992 – this needs to be updated.

- **Berkshire Hathaway, Inc.**

1. Add Stephen B. Burke, Director, Begin Date 12/22/2009

- **Midamerican Energy Holdings Company**

1. Add Clavin Haack, Vice President and Treasurer, Begin Date 03/15/2010
2. Add Cathy S. Woollums, Senior Vice President, Begin Date 02/12/2007
3. Add A. Robert Lasich, Vice President and General Counsel, Begin Date 02/01/2010

- **PPW Holdings LLC**

1. Steve R. Evans, Vice President, shows a Begin Date of 05/18/2006 in the submittal and 03/15/2006 in AVS - this needs to be updated.
2. Wayne F. Irmiter, Vice President, shows a Begin Date of 05/18/2006 in the submittal and 03/15/2006 in AVS – this needs to be updated.
3. Mitchell F. Ludwin, Vice President and Secretary, shows a Begin Date of 05/18/2006 in the submittal and 03/16/2006 in AVS – this needs to be updated.
4. James C. Galt, Assistant Treasurer, shows a Begin Date of 05/18/2006 in the submittal and 03/15/2006 in AVS – this needs to be updated.

- **PacifiCorp**

1. Dean S. Brockbank, Vice President, shows a Begin Date of 08/30/2007 in the submittal and 06/01/2007 in AVS – this needs to be updated.
2. Add Michael G. Dunn, President, Begin Date of 02/01/2010.
3. Natalie L. Hocken, Vice President and General Counsel, shows a Begin Date of 01/01/2007 in the submittal and 06/01/2007 in AVS – this needs to be updated.

4. Patrick J. Reiten, President, shows a Begin Date of 09/15/2006 in the submittal and 06/01/2006 in AVS – this needs to be updated.
5. A. Richard Walje, President, shows a Begin Date of 03/21/2006 in the submittal and 06/01/2006 in AVS – this needs to be updated.

The submittal was forwarded to Linda Keene with the AVS office. She will perform the updates to these entities. During her processing of this information, the Permittee may be required to submit a Secretary's Certificate.

RECOMMENDATION:

AVS is responsible for updating this information in the database. Some discrepancies exist with the Begin Dates, which may require that the Permittee provide a Secretary's Certificate to AVS. But, based on the information submitted to the Division, approval is recommended. The information can be incorporated into the MRP.